



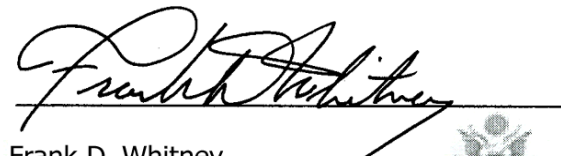

documents is on the required form, is signed, or contains a clear prayer for relief.

Plaintiff must either pay the \$400 filing fee or file an application to proceed *in forma pauperis* and file a superseding Third Amended Complaint within ten days of the date of this Order, or this action will be dismissed without prejudice.<sup>1</sup> See generally Fed. R. Civ. P. 41(b); 28 U.S.C. § 1915.

**IT IS, THEREFORE, ORDERED that:**

1. Plaintiff shall have ten days from service of this Order in which to either pay the \$400 filing fee or file an application to proceed *in forma pauperis*, and file a Third Amended Complaint that complies with all applicable rules and procedures.
2. The Clerk is directed to mail a copy of this Order, an application to proceed *in forma pauperis*, and a blank § 1983 form to Plaintiff.

Signed: August 30, 2018

  
Frank D. Whitney  
Chief United States District Judge 

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<sup>1</sup> Although Petitioner is appearing *pro se*, he is required to comply with all applicable timeliness and procedural requirements, including the Local Rules of the United States District Court for the Western District of North Carolina and the Federal Rules of Civil Procedure. The Amended Complaint must be on a § 1983 form, which the Court will provide, and it must refer to the instant case number so that it is docketed in the correct case. It must contain a “short and plain statement of the claim” showing that Plaintiff is entitled to relief against each of the defendants. Fed. R. Civ. P. 8(a)(2). The Third Amended Complaint must contain all claims Plaintiff intends to bring in this action, identify all defendants he intends to sue, and clearly set forth the factual allegations against each of them. Plaintiff may not amend his Complaint by merely adding defendants and claims in a piecemeal fashion. The Third Amended Complaint will supersede all prior pleadings so that any claims or parties omitted from the Third Amended Complaint will be waived. See Young v. City of Mt. Ranier, 238 F.3d 567 (4<sup>th</sup> Cir. 2001).